

HOUSE BILL 778

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Kathy A. McCoy

AN ACT

RELATING TO STATES' RIGHTS; PROHIBITING DETAINEES FROM THE UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, IN NEW MEXICO.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. DETAINEES FROM THE UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, PROHIBITED.--

A. No federal department or agency shall transport any person who has been detained at the United States naval station, Guantanamo Bay, Cuba, into or through the external boundaries of the state of New Mexico. No person who has been detained at the United States naval station, Guantanamo Bay, Cuba, shall be quartered or detained at any military installation or other federal property in New Mexico.

B. The state, its political subdivisions or any

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1 private correctional facility with which the state or a  
2 political subdivision of the state contracts for the  
3 incarceration of prisoners shall not accept for quartering or  
4 detention any person who has been detained at the United States  
5 naval station, Guantanamo Bay, Cuba.

6 Section 2. SEVERABILITY.--If any part or application of  
7 Section 1 of this act is held invalid, the remainder or its  
8 application to other situations or persons shall not be  
9 affected.

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